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SHIRWO SYSTEM // Int. App. PCT/IB 99/00178

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US PATENT AND TRADEMARK OFFICE

Commissioner for Patents

Box PCT, Washington , DC 20231

OFFICE OF THE DEPUTY COMMISSIONER FOR PATENT EXAMINATION POLICY

Geneva on 11 July., 2003

(Letter of 2 pages)

Mrs. Nancy JONSON

Sub. / Appeal for time extension

Dear Madam,

I would like to thank you for your fair stances on giving the wise decision to solve any confusion concerning applications and to express my sincere appreciation for you .
 This is a request to appeal for time extension on the prosecution of this application referring to its long term of prosecution and because of the resent following reasons:

- 1- The applicant is an Iraqi (Kurdish) who had entered USPTO as PCT applicant 3 years ago as a small entity , he was resident in Switzerland since 1998 and still there for asylum.
- 2- The first USP action on this application consisting a sort of argument on the scientific inquiry of this system (as any intellectual subject) with a clear request from the examiner to provide a prototype and/or affidavits from qualified, unbiased and disinterested Am. Scientist to attest the operative-ness of the device since there is a thought of a conflict on the new principles employed in this system !.
- 3- The situation of International sanction and the existence of USA Law forbidding any cooperation with Iraqi individual essentially on the scientific affairs ; has blocked any effort of getting affidavits by the applicant regarding the sanctions and his nationality.
- 4- The applicant had discussed the scientific inquiry in his reply materials and suggested on the examiner to let USPTO (by using its Federal Authorizations) to have this issue done directly by this office as a mandate asking any resource on its choice even NASA in order to assure the neutral attesting on the device and its protection while indirectly pointing to recognize such strange situation.
 This was to avoid embarrassment on any Am. individual who able to assist in this matter.
- 5- The same request has been drawn in the second action of 23Jan.,03 (as a final rejection).
 I have asked for more time extension but it wasn't enough to see a normal situation so fast , I stated this matter clearly within my reply which was sent on 10 July,03 to arrive the office before 23 July , on the difficulties under these circumstances to get affidavits.

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- 6- It was that US war on Iraq which caused a crisis there with all that bad circumstances to make it even more difficult to provide the prototype which was expected to be save in even under sanction but a war and its reflections give no guaranty if it is still available.
- 7- For the same reason of that war it became more difficult even psychologically to ask any Am. scientist for affidavits on this even on the justification of the affidavits.
- 8- The US Gov. has lifted that Am. Law of sanctions apparently last month as a step to end that long term of International sanctions but in the reality that unfinished war makes it even more worst to get such affidavits now.

Hopefully this could be enough reasons to ask for exceptional time extension on the prosecution of this application , to have more chance for a 3rd action during at least a year from now to give a time for a fair justification on this advanced system considering its real importance for US community and the world.

The applicant would like to have a recommendation from USPTO for asking such affidavits. While there is still that war (or dangerous situations) as has been officially described, in my original country ; a time is needed on this matter at least to relieve the tension, to give a time for healing the bad reflections and to have a normal environment for fair justification.

This request is according to the certainty possible of treating a case by case in USPTO Law considering extra-ordinary circumstances connected with an application.

Looking forward for your comprehensive stance and assistance to endorse the approval of time extension on this application .

Thank you with my appreciation I remain .

Best regards

Sincerely Yours
The Applicant



Shirwan AL PASHA AL BAHDAINI

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